



INVOLUNTARY COMMITMENT

OVERVIEW OF THE INVOLUNTARY COMMITMENT PROCESS

DEBRA B. BRANHAM PROBATE JUDGE

Monday – Friday
8:30am – 5:00pm

KERSHAW COUNTY PROBATE COURT

The Kershaw County Courthouse
1121 Broad Street, Room 225
Camden, South Carolina, 29020

www.kershaw.sc.gov

phone 803.425.1503

INVOLUNTARY COMMITMENTS

A process that the Probate Court uses to order individuals with mental illness or chemical dependency to undergo treatment. There are two types of involuntary commitments:

1. Emergency Commitment – Detention Orders
2. Non-Emergency – Judicial Orders

1.) EMERGENCY COMMITMENTS – DETENTION ORDERS

If you have a family member or friend that you believe requires **immediate** treatment for either a mental illness or chemical dependency, you must go to The Kershaw County Mental Health Clinic located at 2611 Liberty Hill Road, Camden, South Carolina and request an Application for Emergency Commitment, also known as a Detention Order.

The Kershaw County Mental Health Clinic's hours are Monday through Friday, 8:30am to 5:00pm.
The phone number is 803.432.5323

The **REQUIREMENTS** for a Detention Order are as follows:

- A. The individual must pose an immediate threat to self or others and is physically located in Kershaw County.
- B. If threats were made, they must have been witnessed by the petitioner within 24 hours of the Detention Order.
- C. The petitioner must know where the individual is located. (They will assist law enforcement in locating and detaining the individual.)
- D. It is helpful to know if the individual has a history of mental illness and/or chemical dependency.
- E. It is helpful to know if the individual is currently taking any medication(s).
- F. It is helpful to know whether the individual is having any self-care neglect issues, such as not sleeping, not eating, or neglecting hygiene, that suggests the possibility of harm to oneself.

Based upon the information provided to the Mental Health Professional, the Detention Order may or may not be forwarded to The Probate Court for Approval.

If approved, The Probate Court will issue a Detention Order and law enforcement will be dispatched to locate and detain the individual. The individual will be transported to the emergency room for examination. If, in the opinion of the mental health professionals, the individual meets the requirements for an emergency commitment, then the individual will be admitted to an appropriate treatment facility. The Probate Court will schedule a hearing within 15 calendar days of admission.

The Court will appoint an attorney to represent the patient at the hearing or private counsel may be retained. The attorney will meet with the patient before the hearing to explain rights and answer questions.

The Court must give five days' notice of the date, time, and location of the hearing.

The patient has the right to be present at the hearing and question witnesses. At the hearing, The Probate Court will determine whether he/she needs further inpatient treatment and/or outpatient treatment.

WHAT IF THE PERSON IS IN JAIL?

The Probate Court cannot arrange to have anyone examined who is in the custody of The Kershaw County Detention Center. Applicant or family member should contact The Detention Center at 803.425.1516 and request that the patient be seen by the medical staff at the jail.

AFTER HOURS, WEEKENDS, AND HOLIDAYS.

If you have an emergency situation that occurs outside of normal working hours, you will call The Kershaw County Mental Health Clinic at 803.432.5323 and your call will be directed to the on call staff

2.) NON-EMERGENCY COMMITMENTS – JUDICIAL ORDERS

If you have a family member that you believe requires non-emergency treatment for either a mental illness or chemical dependency, you may go to The Kershaw County Mental Health Clinic located at 2611 Liberty Hill Road, Camden, South Carolina and request a Petition for Judicial Admissions.

The Kershaw County Mental Health Clinic's hours are Monday through Friday, 8:30am to 5:00pm. The phone number is 803.432.5323

The Steps for Judicial Admissions are as follows:

- A. The Kershaw County Mental Health Clinic will send the Judicial Petition to The Probate Court.
- B. The Court will schedule an examination for the individual with the alleged mental illness or chemical dependency.
- C. You will receive notice from the Court of the place, date, and time of the scheduled examination and as the petitioner, you are required to attend the examination to offer information that will be considered by the examiners. The individual will also receive the notice for examination by both mail and personal service.
- D. After the examination, if the individual is found to be mentally ill or a chemically dependent person in need of treatment, a hearing will be held by The Probate Judge. Notice of the hearing will be provided to both the petitioner and the mentally ill/chemically dependent person.
- E. The Court will appoint an attorney to represent the patient at the hearing or private counsel may be retained. The attorney will meet with the patient

before hearing to explain rights and answer questions.

Non-Emergency Examinations are scheduled in the order in which the Petitions are received by the Court.

Therefore, please allow adequate time for the Petition to be processed, before contacting the Court. Once a Petition has been filed by the Court, it is unable to be cancelled.